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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/531,949	03/21/2000	John Michael Kominek	QUAC0007	7501
22862	7590	07/14/2006	EXAMINER	
GLENN PATENT GROUP 3475 EDISON WAY, SUITE L MENLO PARK, CA 94025			WOO, ISAAC M	
			ART UNIT	PAPER NUMBER
			2166	

DATE MAILED: 07/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/531,949	Applicant(s) KOMINEK ET AL.	
	Examiner Isaac M. Woo	Art Unit 2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) 1-40 and 42 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 March 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to Applicant's Election, in response to the Election/Restriction requirement set forth in the March 08, 2006, filed on April 10, 2006.

2. Applicant elected Group II, claim 41, with traverse.

However, the restriction was proper. Because the inventions are distinct, each from the other because of the following reasons:

The applicant's the ground(s) of the traversal, is not found persuasive. Because one application should have one invention and examining different invention on one application is burden. The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instance case, invention I can be used for obtaining data from a network of computers, applying text patterns to the obtained data and placing the data in a first data file, providing a second data file containing the text patterns in a transformed uniform and semantically structured data structure format, generating grammatical sentences from the data in the data structure according to a specific canonical interface in the second data file, which is manipulating data structure. Invention II can be used for using a user interface having a voice portal to obtain data from a network of computers, step of using a user interface having a voice portal to obtain data comprises sending voice command to the network of computers, user

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interface comprises at least one of the steps of: identifying the user with a phone number, starting a new session for the user, adding a new interaction, updating a preference of the user within a domain, enabling the preference of the user within the domain, disabling the preference of the user within the domain updating an expertise level of the user, updating personal information of the user; updating session state of the user, adding credit card information of the user, updating the credit card information of the user, which is manipulating and using graphical user interface. See MPEP 806.05(d).

3. Claim 41 is elected and presented for examination for this action (claims 1-40 and 42 are non-elected and withdrawn for this office action).

Claim Objections

4. Claim 41 is objected to because of the following informalities:
“the steps of:” in line 2 and 6 of claim 41, should be -- steps of: --;
“the data” in line 18, should be -- the obtained data --;
Appropriate correction is required.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claim 41 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 41 recites the limitation "said user" in line 7. There is insufficient antecedent basis for this limitation in the claim. Claim 41 recites the limitation "the data" in line 22. It is unclear what "the data" refers to.

Allowable Subject Matter

7. Claim 41 is allowed.

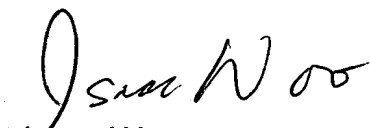
Claim 41 identifies the distinct feature that user interface having a voice portal to obtain data comprises sending voice command to the network of computers, identifying the user with a phone number, starting a new session for the user, adding a new interaction, updating a preference of the user within a domain, enabling the preference of the user within the domain, disabling the preference of the user within the domain, updating an expertise level of the user, updating personal information of the user, updating session state of the user, adding credit card information of the user, and updating the credit card information of the user. The prior art fails to suggest the claimed limitations as mentioned above in combination with other claimed elements.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac M. Woo whose telephone number is (571) 272-4043. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Isaac Woo
June 27, 2006